

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

FREEMAN BUCHANAN, III,)	
)	
Plaintiff,)	
)	
v.)	No. CIV 19-029-RAW-SPS
)	
CHRIS ELIOTT, et al.,)	
)	
Defendants.)	

OPINION AND ORDER
DENYING MOTION FOR APPOINTMENT OF COUNSEL

Plaintiff has filed a motion requesting the Court to appoint counsel (Dkt. 54). He bears the burden of convincing the Court that his claim has sufficient merit to warrant such appointment. *McCarthy v. Weinberg*, 753 F.2d 836, 838 (10th Cir. 1985) (citing *United States v. Masters*, 484 F.2d 1251, 1253 (10th Cir. 1973)). To the extent Plaintiff alleges he does not understand the Court's Orders entered on October 28, 2019 (Dkts. 50 and 51), the Orders advised him of the rules regarding discovery and set forth deadlines in this case. The Court cannot give Plaintiff legal advice about how to proceed with his case.

The Court has carefully reviewed the merits of Plaintiff's claims, the nature of factual issues raised in his allegations, and his ability to investigate crucial facts. *McCarthy*, 753 F.2d at 838 (citing *Maclin v. Freake*, 650 F.2d 885, 887-88 (7th Cir. 1981)). After considering Plaintiff's ability to present his claims and the complexity of the legal issues raised by the claims, the Court finds that appointment of counsel is not warranted. *See Williams v. Meese*, 926 F.2d 994, 996 (10th Cir. 1991); *see also Rucks v. Boergermann*, 57

F.3d 978, 979 (10th Cir. 1995).

ACCORDINGLY, Plaintiff's motion for appointment of counsel (Dkt. 54) is
DENIED.

IT IS SO ORDERED this 3rd day of December, 2019.

A handwritten signature in cursive script, reading "Ronald A. White", written over a horizontal line.

Ronald A. White
United States District Judge
Eastern District of Oklahoma